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#4

09/16/2004 15:12 FAX 212 949 9190

ABELMAN FRAYNE

001/012

ATT: Charles S. O.T.
smoot
From: STEVEN Ortni
(212) 885-9219

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15 2004

ABELMAN, FRAYNE & SCHWAB

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16 SEP 2004

Legal Staff
International Division

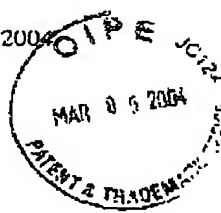
Assist. Commissioner for Patents
Date Stamp as acknowledgement
of receipt of:

APPLICANT : BAGLIONI, et al.
Serial No. : 10/019,732
Filed : July 2, 1999
For : ENGINE FUELS CONSISTING
EMULSION COMPRISING N
NATURAL OILS, THEIR PR
USE IN INTERNAL COMBU
Examining Atty : N/A
Art Unit : N/A
ATTY DOCKET: 205,437

DOCUMENT: Request to Rescind Notice
of Abandonment Issued
in Error...
Photocopies of Nos 1-5
Return Postcard

Exp. Mail No. ET 537 589 819

Initials: TES/dlb
Date Mailed: 05 MAR 2004



09/23/2004 CSMOOT 00000005 010035 10019732
Sale Ref: 00000005 DAH: 010035 10019732
02 FC:2640 100.00 DA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : BAGLIONI, et al.
Serial No. : 10/019,732
Filed : July 2, 1999
For : ENGINE FUELS CONSISTING OF AN
EMULSION COMPRISING MINERAL OR
NATURAL OILS, THEIR PREPARATION
AND USE IN INTERNAL COMBUSTION
ENGINE
Examining Atty : N/A
Art Unit : N/A

ATTY DOCKET: 205,437

March 5, 2004

REQUEST TO RESCIND NOTICE OF ABANDONMENT
ISSUED IN ERROR AND PETITION TO REVIVE

To the Commissioner for Patents:

A Notice of Abandonment dated February 27, 2004 was recently received by our office.
Our office file indicates that the response referenced in the Notice was timely filed via Express
Mail and duly acknowledged by the Office on a dated-stamped postcard receipt.

"EXPRESS MAIL" ET 537 589 819 US
Date of Deposit: 5 March 2004
This correspondence is being deposited with the United
States Postal Service "Express Mail Post Office to Ad-
dressee" service under 37 CFR 1.10 on the date indicated
above and is addressed to: Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450.

Copies of the following are attached:

1. Photocopy of Notification of Missing Requirement under 35 U.S.C. 371 dated 4/2/2002.
2. Photocopy of executed Declaration and Power of Attorney.
3. Photocopy of return postcard and check No. 11967 for \$65 dated 4/18/2002.
4. Photocopy of original return postcard with U.S. PTO mail room stamp indicating date of receipt of April 18, 2002
5. Photocopy of canceled check no. 11967 deposited by U.S. PTO.

It appears that the Declaration and related documents were not associated with the file as a result of a clerical error by the Office.

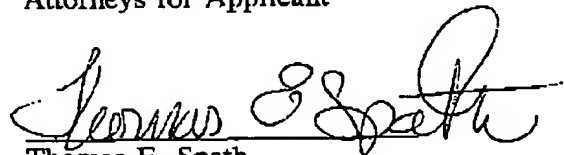
Applicants respectfully request that the Notice of Abandonment be rescinded and that the application be returned to the Examining Group for prompt issuance of an examination report.

No fee is believed to be due in connection with this Petition and Request. In the event that the Office determines that a fee is due, authorization is hereby provided to charge this firm's deposit account No. 01-0035.

Respectfully submitted,

ABELMAN, FRAYNE & SCHWAB
Attorneys for Applicant

By



Thomas E. Spath
150 East 42nd Street
New York, NY 10017-5612
(212) 949-9022

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY DOCKET NO.
10/019,732	PCT/EP99/04607	205,437

FORM PCT/DO/EO/805 (371 Formalities Notice)

UNITED STATES

UTILITY PATENT APPLICATION
DECLARATION AND POWER OF ATTORNEY - ORIGINAL APPLICATION

ATTORNEY'S DOCKET NO.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled

(1) TITLE OF
INVENTION(1) ENGINE FUELS CONSISTING OF AN EMULSION COMPRISING MINERAL AND/OR NATURAL OILS,
THEIR PREPARATION AND USE IN INTERNAL COMBUSTION ENGINE

the specification of which

(2) CHECK
APPROPRIATE
BOX(2) ☐ is attached hereto.☒ was filed on July 02, 1999 as Application No. PCT/EP99/04607and was amended on August 03, 2001 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application under 37 CFR 1.56(a): the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application; and as to applications for patents or inventor's certificate on the invention filed in any country foreign to the United States prior to this application by me or my legal representatives or assigns.

(3) CHECK
APPROPRIATE
BOX(3) ☐ no such applications have been filed, or☐ such application(s) have been filed as follows:(4) COMPLETE
DATA
INDICATED
IF
APPLICABLE

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO THIS APPLICATION				
Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed Under 35 USC 119
(4)				Yes No
				Yes No
				Yes No
ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO THIS APPLICATION				
(4)				

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(5) COMPLETE
DATA INDICATED
IF APPLICABLE(5) _____
(Application Serial No.) (Filing date) (Status: patented, pending, abandoned)(5) _____
(Application Serial No.) (Filing date) (Status: patented, pending, abandoned)

(Page 1 of 2)

Per of Attorney: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Jeffrey A. Schwab, Registration Number 24,490
Thomas E. Spath, Registration Number 25,928
Jay S. Cinamon, Registration Number 24,156

Howard R. Jaeger, Registration Number 31,376
Anthony Coppola, Registration Number 41,493

Send correspondence to:
ABELMAN, FRAYNE & SCHWAB
150 East 42nd Street
New York, New York 10017-5612

Direct telephone calls to:
Jeffrey A. Schwab, Thomas E. Spath,
Jay S. Cinamon, Howard R. Jaeger,
or Anthony Coppola at (212) 949-9022

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(6) DETAILS
REQUIRED
FOR EACH
INVENTOR

Full Name of Sole or First Inventor Piero BAGLIONI	Inventor's Signature <i>[Signature]</i>	Date Feb. 01, 2002
Residence Via di Mimmo 192/a - 50010 FIESOLE - ITALY		Citizenship ITALIAN
Post Office Address AS ABOVE		
Full Name of Second Joint Inventor, If Any Emiliano FRATINI	Inventor's Signature <i>[Signature]</i>	Date Feb. 01, 2002
Residence Via S. D'Acquisto 3 - 59100 PRATO - ITALY		Citizenship ITALIAN
Post Office Address AS ABOVE		
Full Name of Third Inventor, If Any Riccardo RICCI	Inventor's Signature <i>[Signature]</i>	Date Feb. 01, 2002
Residence Via Baldovini 19 - 50126 FIRENZE - ITALY		Citizenship ITALIAN
Post Office Address AS ABOVE		
Full Name of Fourth Joint Inventor, If Any Giuseppe SARTI	Inventor's Signature <i>[Signature]</i>	Date Feb. 01, 2002
Residence Via D. M. Manni 45 - 50135 FIRENZE - ITALY		Citizenship ITALIAN
Post Office Address AS ABOVE		
Full Name of Fifth Joint Inventor, If Any David CHIARAMONTI	Inventor's Signature <i>[Signature]</i>	Date Feb. 01, 2002
Residence Via V. Emanuele 191 - 50134 FIRENZE - ITALY		Citizenship ITALIAN
Post Office Address AS ABOVE		
Full Name of Sixth Joint Inventor, If Any	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Seventh Joint Inventor, If Any	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		

ABELMAN, FRAYNE & SCHWAB

150 East 42nd Street, New York, New York 10017-5612

Page 2 of 2

ABELMAN, FRAYNE & SCHWAB COMMISSIONER ACCOUNT 150 EAST 42ND STREET NEW YORK, NY 10017		11967
DATE <u>4/18/02</u>		1-777/280 A
PAY TO THE ORDER OF COMMISSIONER OF PATENTS AND TRADEMARKS		\$ <u>65.00</u>
THE SUN65 DOLLARS		DOLLARS
FOR <u>60643</u>		
STERLING NATIONAL BANK 622 Third Avenue New York, NY 10017-6707		
<u>Not Legal</u>		
⑈018967⑈ ⑈026007773⑈ 0811743001⑈		

Hon. Commissioner of
Patents and Trademarks

Date Stamp as acknowledgement
of receipt of:

APPLICANT: BAGLIONI et al.
SERIAL NO. 10/091,732
FOR: "Engine Fuels..."
CONTROL NO. 205,437
DOC. TYPE: **IDS+ Form 449**
Copy of Notice to File
Missing Requirements
Executed Declaration and
Power of Attorney
Check for \$65 for filing fee
Return postcard
Initials: TES/jfb
Date Mailed: 18 April 2002
Label No.: ET 537 596 960 US

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APR 30 2002

ABELMAN, FRAYNE & SCHWAB

Hon. Commissioner of
Patents and Trademarks

Date Stamp as acknowledgement
of receipt of:

APPLICANT: BAGLIONI et al.

SERIAL NO. 10/091,732

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CONTROL NO. 203,437

DOC. TYPE: IDS + Form 449
Copy of Notice to File
Missing Requirements
Executed Declaration and
Power of Attorney
Check for \$65 for filing fee
Return postcard

Initials: TES/jfb

Date Mailed: 18 April 2002

Label No.: ET 537 596 960 US





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/019,732

FIRST NAMED APPLICANT

Piero Baglioni

ATTY DCKET NO.

205,437

INTERNATIONAL APPLICATION NO.

PCT/EP99/04607

I.A. FILING DATE

07/02/1999

PRIORITY DATE

Thomas E Spath
Abelman Frayne & Schwab
150 East 42nd Street
New York, NY 10017

CONFIRMATION NO. 7375

371

ABANDONMENT/TERMINATION
LETTER

OC000000011984064

Date Mailed: 02/27/2004

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 04/02/2002 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

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